

# COMMUNICATIONS ADVISORY COUNSEL LLC

2154 Wisconsin Avenue N.W.  
Washington, D.C. 20007

Tel. 202-333-5273  
Fax 202-333-5274

**Sylvia Lesse**  
[sylvia@Independent-Tel.com](mailto:sylvia@Independent-Tel.com)

March 14, 2006

*Via electronic filing*

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: Cable & Communications Corporation  
CC Docket No. 94-102  
E-911 Waiver Request  
First Quarterly Report

Dear Ms. Dortch:

On December 13, 2005, Cable & Communications Corporation ("C&CC") filed a petition seeking temporary waiver of Section 20.18(g)(1)(v) of the Commission's Rules. Therein, C&CC made the commitment to provide the Commission with quarterly reports detailing its progress toward compliance with the 95% penetration benchmark contained in the subject rule, as well as activities undertaken to meet the modified penetration benchmarks proposed in its petition. This report constitutes the first such report, covering the three-month period ending as of March 10, 2006.

C&CC reported an ALI-compliant handset penetration rate of 30.5% as of December 13, 2005. Today, that number equals 44.8% of all handsets activated in the C&CC system, representing a 14.3% increase. C&CC attributes this growth to:

- (1) its aggressive February-March campaign, during which it offered either: (a) a FREE external antenna and connector (a \$34 value) or (b) \$50 off the cost of a 3-watt cellular booster if a customer signs a new two-year contract or extends an existing contract for two years; and
- (2) an education campaign consisting of information regarding cellular strength and C&CC's service enhancement and improvement plans for 2006, which ran in both the parent company's January-February edition of the *411* magazine, and in Cell Chat, an insert in the February billing cycle (see attached).

As reported in its Supplement filed March 2, 2006, since its petition was filed on December 13, 2005, C&CC has added two internal cell sites designed to improve and increase service. In addition, C&CC has received Commission authorization to complete a Phase II major modification to bring the first wireless service to areas in and around the small rural community of Ismay, Montana.

C&CC reports that it has yet to receive a Phase II request from any area PSAP. In fact, area PSAPs and other emergency service providers are supportive of C&CC's petition and of C&CC's goal to expand the availability of wireless service in rural eastern Montana. Attached are letters of support from the twelve (12) Montana emergency service providers affected by C&CC's petition.

During the second quarter of this year, C&CC plans to promote the use of a digital signal booster, which minimizes the difference in handset reception capability between analog and digital phones. In a two-step process, C&CC will (1) educate consumers regarding the benefits of the booster and (2) provide financial incentive to make its purchase more economical. C&CC will also continue its general education and promotional campaigns regarding the benefits of digital conversion.

Respectfully submitted,



Sylvia Lesse

Counsel for  
Cable & Communications Corporation

Attachments

# Cellular Strength for your Mid-Rivers Digital Cellular Service



Mid-Rivers cell phone



external antenna



STRONG SIGNAL



Mid-Rivers cell phone



3-watt booster



STRONGER SIGNAL

Sign a two-year contract or extend your existing Mid-Rivers Cellular contract by March 31, 2006 and receive **either**:

1. A **FREE** external antenna and connector (a \$34 value) or
2. **\$50 OFF** the cost of a 3-watt cellular booster.

Limited to one offer per cellular phone. Offer valid only to customers who take Mid-Rivers Cellular service. Offer good through March 31, 2006. Free activation for an additional \$15 savings when you purchase a new cell phone. Antenna includes magnetic mount or glass mount and RF (Radio Frequency) connector. Offer does not include installation of antenna. Call Mid-Rivers Cellular at 1-800-452-2288 for more information.

**Turn this over to read about Mid-Rivers Cellular's plans for improvement in 2006.**

## Mid-Rivers Cellular plans several improvements in 2006

Mid-Rivers Cellular completed the upgrade to digital service in 2005. Several improvements are on the horizon for Mid-Rivers Cellular customers in 2006. First on the list is increased "Home" coverage with the installation of additional towers.

A new tower was constructed approximately two miles south of the Ismay turn-off on Highway 12. The cellular equipment installed at this tower is in the process of being tested. The Ismay tower should be in operation by the end of January.

Digital cellular equipment is installed at Rock Springs and in Broadus. At the time of this writing, additional parts are needed to optimize these cell sites, which are expected

to be operational early in February. The Broadus and Rock Springs extender sites will provide better coverage to handheld digital cell phones.

Land is being purchased south of Vida for a cell tower to be erected later this year. Possible sites are under review by the Mid-Rivers Engineering Department for the construction of a tower north of Lambert in 2006 to provide increased coverage in the 201 Road area. Other cell tower locations under consideration are west of Ashland, Volberg and in Alzada.

Mid-Rivers Cellular is researching equipment manufacturers that provide Short Messaging Service (SMS), which is used to send text messages between digital cellular

telephones. Plans are to have SMS operating in 2006.

Mid-Rivers Cellular is also reviewing options for providing Personal Communications Services (PCS) cellular service in Glendive, Miles City, Sidney and Wibaux. Tri-mode and dual-band digital cellular phones work on a PCS signal. Mid-Rivers sells only tri-mode cell phones.

Optimization equipment will be installed on all digital cellular towers in 2006 in order to increase the receive sensitivity of signal from handheld digital cellular phones to Mid-Rivers towers, thereby increasing coverage and improving service to all cellular towers.

**Turn this over for details on the Cellular Strength promotion from Mid-Rivers Cellular.**



**POWDER RIVER COUNTY  
SHERIFF'S OFFICE**

PO Box 71  
Courthouse Square  
Broadus, MT 59317

Ph: 406-436-2333

Fax: 406-436-2866

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

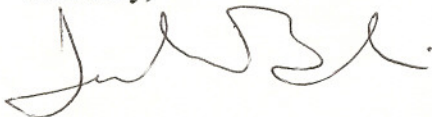
Re: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

Madam Secretary:

Powder River County Sheriff's office provides emergency response services to Powder River County, Montana. We have reviewed the request of Cable & Communications Corporation ("C&CC") for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services, and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.

Sincerely,



John Blain  
Sheriff, Powder River County

JB/kr





## SHERIFF BRAD D. BAISCH

110 2nd Ave. N.W.  
Sidney, Montana 59270  
Phone: (406)433-2919  
Fax: (406)433-4766

January 5, 2006

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St, SW  
Washington DC 20554

RE: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

Madam Secretary:

The Richland County Sheriff's Office provides emergency response services to Richland County, Montana. We have reviewed the request of Cable & Communications Corporation ("C&CC") for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.

A handwritten signature in blue ink that reads "Brad Baisch".

Sheriff Brad Baisch  
Richland County Sheriff's Office



# CARTER COUNTY SHERIFF

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Rusty Jardee, Sheriff

Jim Bailey, Deputy Sheriff

Neil Kittelmann, Undersheriff

P.O. Box 323  
Ekalaka, Montana 59324  
406-775-8743  
FAX 406-775-6743

Marlene Dotch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St.SW  
Washington DC 20554

Madam Secretary:

Carter County Sheriff's Office provides emergency response services to Carter County, Montana. We have reviewed the request of Cable&Communications Corporation for waiver of the ALI-capable hand set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. We support C&CC's approach to ensuring broad public access to emergency services, and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.

Sincerely,



Rusty Jardee, Carter County Sheriff/Coroner

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P.O. Box 1061  
Baker, MT. 59313  
(406) 778-7139  
Fax (406) 778-7176  
cleee@midriverrr.com

# Fallon County Dispatch Center

January 11, 2006

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St, SW  
Washington DC 20554

RE: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

Madam Secretary:

The Fallon County PSAP provides emergency response services to Fallon, Carter, Prairie and Wibaux Counties in Montana. We have reviewed the request of Cable & Communications Corporation ("C&CC") for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

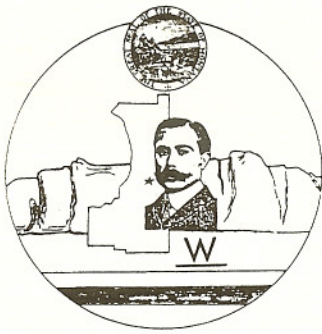
We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.



Chuck Lee  
PSAP Manager – Fallon County

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# SHERIFF'S OFFICE

Wibaux County, State Of Montana  
Wibaux, Montana 59353

Shane Harrington  
Sheriff  
Bill Hecker  
Undersheriff

Office Phone: (406)796-2415  
Dispatch: (406)796-2222  
FAX: (406)796-6222

To: Marlene Dortch, Secretary  
Federal Communications Commission  
44512<sup>th</sup> St. SW  
Washington, DC 20554

From: Wibaux County Sheriff's Office  
203 South Wibaux St.  
Wibaux, Mt. 59353

RE: Petition for Waiver of Cable & Communications Corp.

Madam Secretary:

Mid-Rivers Communications provides emergency response services to Wibaux County, Montana. We have reviewed the request of Cable & Communications Corporation (C&CC) for waiver of the ALI-Capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services, and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow. Thank-you for taking the time to read this letter.

Wibaux County Sheriff

*Darby S. Harrington*  
Darby S. Harrington





## DEPARTMENT of POLICE

P.O. BOX 1372 • Glendive, MT 59330 • Phone (406) 377-2364 • (FAX) 406-377-2596

ALAN D. MICHAELS - CHIEF OF POLICE

December 27, 2005

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St., SW  
Washington, DC 20554

Re: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

Madam Secretary:

Mid-Rivers Communications provides emergency response services to Dawson County, Montana. We have reviewed the request of Cable & Communications Corporation ("C&CC") for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

Dawson County has not requested Phase I or II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we certainly believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more people access to emergency services over a broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services, and ask that the FCC please grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow. C&CC has been very supportive of our community and always willing to cooperate in any way that is possible.

If you have any questions or concerns do not hesitate to contact me. Again thank you in advance for your consideration in this very important matter.

Sincerely,

Chief Alan Michaels  
PSAP for Dawson County 9-1-1



# McCone County Sheriff's Office

**Dave Harris, Sheriff**  
**Paul Skyberg, Deputy Sheriff**  
905 B Avenue  
Box 201  
Circle, MT 59215

**Lonny Jensen, Under Sheriff**  
**Marc Speer, Deputy Sheriff**  
Phone: 406-485-3405  
Fax: 406-485-3464

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December 19, 2005

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St, SW  
Washington, DC 20554

RE: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

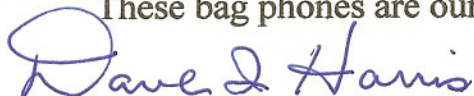
Madam Secretary:

McCone County 911 Dispatch Center provides emergency response services to McCone County, Montana. We have reviewed the request of Cable & Communications Corporation ("C&CC") for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C & CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services, and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.

McCone County Sheriff's Office Officers have four analog bag phones that give us service in almost all area's of our county. The digital phones fall way short of this capability at this time. Even if we buy the boosters and antennas, which we do not have the budget for due to budget restraints, the digital solution has not proven to be as consistent in overall coverage in our county.

These bag phones are our lifeline in remote areas of the county.



Dave I. Harris, Sheriff  
McCone County





## **Garfield County Sheriff's Office**

P.O. Box 103 Jordan, Montana 59337

(406) 557-2540 Fax: (406) 557-2567

[gcsheriff@midrivers.com](mailto:gcsheriff@midrivers.com)



December 28, 2005

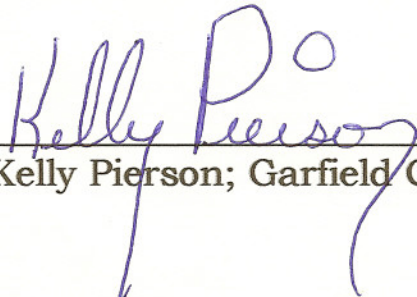
Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

Madam Secretary,

Mid-Rivers Communications provides emergency response services to Garfield County, Montana. We have reviewed the request of Cable & Communications Corporation ("C&CC") for wavier of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter of support of C&CC's plan to introduce ALI-compliant handsets to it's subscribers.

We have not requested Phase 1 or Phase 11 capabilities from C&CC. Since we are not currently able to utilize Phase 11 information, we believe that broad access to mobile communications regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services, and ask that the FCC grant C&CC's wavier request so that the level of access to emergency services remains, and is allowed to grow.

  
Kelly Pierson; Garfield Co. Sheriff

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St, SW  
Washington, DC 20554

Re: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

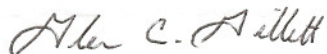
Madam Secretary:

Mid-Rivers Communications provides emergency response services to Petroleum County, Montana. We have reviewed the request of Cable & Communications Corporation ("C&CC") for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services, and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.

Thank you for your time and considerations in this matter. If you have any questions please feel free to contact me at any time. The office phone number is 1-406-429-6551.

Sincerely,



Glen C. Gillett



Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St, SW  
Washington, DC 20554

Re: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

Madam Secretary:

Rosebud County Sheriff provides emergency response services to Rosebud County, Montana/North Dakota. We have reviewed the request of Cable & Communications Corporation ("C&CC") for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services, and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.



Tim Fulton  
Rosebud County Sheriff



# PRAIRIE COUNTY SHERIFF'S OFFICE

217 W. Park • P.O. Box 126

Terry, Montana 59349

Phone (406) 635-5738 • Fax (406) 635-4126

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Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St, SW  
Washington, DC 20554


Re: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

Madam Secretary:

The Prairie County Sheriff's Office provides emergency services to Prairie County, Montana. We have reviewed the request of the Cable & Communications Corporation (C&CC) for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.

Sincerely:

  
William H. Klunder  
Prairie County Sheriff





## MILES CITY POLICE DEPARTMENT

Lissa Power, Chief of Police  
Kevin Krausz, Captain of Operations



# CITY OF MILES CITY

2420 Bridge  
Miles City, MT 59301  
E-mail: mcpolice@milescity-mt.org

Telephone: (406) 233-3411  
Fax: (406) 232-4270

January 4, 2006

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St, SW  
Washington DC 20554

RE: Petition for Waiver of Cable & Communications Corporation  
CC Docket No. 94-102

Madam Secretary:

The Miles City Police Department provides emergency response services to Custer and Garfield Counties in Montana. We have reviewed the request of Cable & Communications Corporation ("C&CC") for waiver of the ALI-capable hand-set penetration level established by the FCC's rules, and submit this letter in support of C&CC's plan to introduce ALI-compliant handsets to its subscribers.

We have not requested Phase I or Phase II capabilities from C&CC. Since we are not currently able to utilize Phase II information, we believe that broad access to mobile communications, regardless of location technology, is the most important public health and safety feature in our community. C&CC has continually expanded its service area, allowing more and more people access to emergency services over a broader and broader geographic scope. We support C&CC's approach to ensuring broad public access to emergency services and ask that the FCC grant C&CC's waiver request so that the level of access to emergency services remains level and is allowed to grow.

Captain Kevin Krausz  
Miles City Police Department

### DECLARATION OF GERRY ANDERSON

I, Gerry Anderson, General Manager of Cable & Communications Corporation, do hereby declare under penalty of perjury that I have read the foregoing "First Quarterly Report" and that the facts stated therein are true and correct, to the best of my knowledge, information and belief.

3-14-06  
Date

Gerry Anderson  
Gerry Anderson



## Certificate of Service

I, Sylvia Lesse, of Communications Advisory Counsel, LLC, hereby certify that on this 14th day of March, 2006, I caused to be delivered, via first-class US mail, postage prepaid, a copy of the foregoing "First Quarterly Report" on the following:

Captain Kevin Krausz  
Miles City Police Dept.  
PSAP for Custer County, Montana  
PSAP for Garfield County, Montana  
2420 Bridge Street  
Miles City MT 59301

Sheriff Kelly Pierson  
Garfield County Sheriff's Office  
PO Box 103  
Jordan MT 59337

Chief Alan Michaels  
Glendive Police Department  
PSAP for Dawson County, Montana  
PO Box 1372  
Glendive MT 59330

Chuck Lee  
PSAP Manager - Fallon County  
PSAP for Fallon, Carter,  
Prairie and Wibaux Co's, MT  
PO Box 1061  
Baker, MT 59313

Sheriff Rusty Jardee  
Carter County Sheriff  
PO Box 323  
Ekalaka MT 59324

Sheriff John Grainger  
Roosevelt County Sheriff  
PSAP for Roosevelt County  
PO Box 280  
Wolf Point, MT 59201

Jeff Cohen\*  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 Twelfth St, SW  
Washington, DC 20554

Michael J. Wilhelm\*  
Chief, Pub.Safety & Critical Infrastruc. Div.  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 Twelfth St., SW  
Washington, DC 20554

\* Via electronic mail

Sheriff William Klunder  
Prairie County Sheriff's Office  
PO Box 126  
Terry MT 59349

Sheriff Darby S. Harrington  
Wibaux County Sheriff's Office  
PO Box 322  
Wibaux MT 59353

Sheriff Dave Harris  
McCone County Sheriff's Office  
PSAP for McCone County, Montana  
905 B Avenue, PO Box 201  
Circle, MT 59215

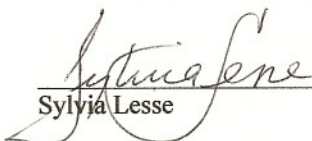
Sheriff John Blain  
Powder Riv. Co. Sheriff's Office  
PSAP for Powder River Co., MT  
Box 71 Courthouse Square  
Broadus MT 59317

Sheriff Brad Baisch  
Richland County Sheriff's Office  
PSAP for Richland Co., MT  
110 2<sup>nd</sup> Ave NW  
Sidney, MT 59270

Sheriff Glen C. Gillett  
Petroleum County Sheriff's Office  
PO Box 226  
Winnett, MT 59087

Mindy Littell\*  
Wireless Telecom. Bureau  
Federal Communications Commission  
445 Twelfth St., SW  
Washington, DC 20554

Uzoma C. Onyeije\*  
Legal Advisor, Office of the Bureau Chief  
Wireless Telecom. Bureau  
Federal Communications Commission  
445 Twelfth St, SW  
Washington, DC 20554

  
Sylvia Lesse